UNITED NATIONS

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Economic and Social Council

Distr.
GENERAL

E/CN.4/1999/NGO/37
29 January 1999

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Item 11 (c) of the provisional agenda

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF FREEDOM OF EXPRESSION

Written statement submitted by North-South XXI, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council Resolution 1996/31.

[11 January 1999]

GE.99-10718 (EXT)

Freedom of expression and communication: the Echelon network

1. Freedom of expression and communication is almost unanimously considered to be a fundamental right. NGOs and various States deem themselves justified in intervening in any violation of that right in any country, even if it is only to protect the freedom of one individual.

2. In September 1998, the European Parliament heard the report of the Commission on Evaluation of technological and scientific options, which showed that international opinion believed in the existence of a system of surveillance of all communications worldwide, known as "Echelon". The "Echelon" network monitors messages throughout the world (by telephone, facsimile, telex, Internet, etc.), filtering 3 billion private communications every day. This network, set up by the United States (in Great Britain, New Zealand, Canada and Australia) in the days of the "East-West" conflict, today operates solely in American interests, whose special services relay information to American companies to assist them in their competition wars. What is more, the "Echelon" network not only engages in industrial espionage, which violates the prinicple of free competition of which the United States is the offical champion, it also violates the principle of free communication, secrecy of correspondence and freedom of expression: the messages of non-governmental organizations and associations of all kinds are intercepted indiscriminately, enabling the American NSA services to record all information, especially information that impugns people's personal lives, as well as the political, cultural and economic autonomy of all the actors of international civil society and domestic associations or governments.

3. This transparency of international communications imposed by the United States transposes a 1994 United States act (Communication Assistance to Law Enforcement Act) whereby American operators are obliged to alter their networks so that they may be intercepted by the government services.

4. It is therefore only right that the United Nations Commission on Human Rights, rightly attentive to violations of individual freedoms, should be alerted to the massive and systematic violation perpetrated by the "Echelon" network on behalf of a single State and a handful of multinational corporations. The Commission on Human Rights, on the basis of the Pompidou report prepared by the European Parliament ("Evaluation of Technologies and Political Control"; 14 September 1998, PE 166.499/Int.ST./Exce.Sum - Directorate General of Research - STOA), must set up a working gorup on the "Echelon" network to examine the incompatibility of this type of electronic surveillance with the freedoms proclaimed in the covenants and declarations on human rights.